

## **Findings**

### **1.0 CEQA FINDINGS**

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department at 2850 Fairlane Court, Placerville, CA, 95667.

### **2.0 GENERAL PLAN FINDINGS**

#### **2.1 The project is consistent with General Plan Policy 2.2.1.2.**

The Medium Density Residential (MDR) land use designation establishes areas suitable for detached single-family residences with larger lot sizes which will enable limited agricultural land management activities. The maximum allowable density for this designation is one dwelling unit per 1.0 acre. This designation is considered appropriate only within Community Regions and Rural centers.

Rationale: The subject parcel is within the Georgetown rural center. Surrounding uses are Medium Density Residential (MDR), Low Density Residential (LDR), Multifamily Residential (MFR), and Commercial (C). The conversion from C to MDR would be consistent with surrounding designations and General Plan Policy 2.2.1.2.

#### **2.2 The project is consistent with General Plan Policy 2.2.5.2.**

This policy requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: Staff has prepared this section on General Plan findings to determine consistency with the policies of the General Plan.

**2.3 The project is consistent with General Plan Policy 2.2.5.3.**

The County shall evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district. The specific criteria to be considered include, but are not limited to, the following:

1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;

Rationale: The subject parcel is within the Georgetown Divide Public Utility District (GDPUD) service area.

2. Availability and capacity of public treated water system;

Rationale: The subject parcel is within the Georgetown Divide Public Utility District (GDPUD) service area.

3. Availability and capacity of public waste water treatment system;

Rationale: Any future development on the subject parcel would meet waste water treatment needs through a septic system.

4. Distance to and capacity of the serving elementary and high school;

Rationale: The subject parcel is located within the Black Oak Mine Unified School District. The closest elementary school is Georgetown Elementary School, approximately .4 miles from the site. The closest high school is Golden Sierra High School approximately 3.5 miles from the site. As analyzed in the initial study, any future development would be limited to a single family residential. Any future discretionary development would be reviewed for impacts to population growth under the discretionary application. The project as proposed is not anticipated to create increased demand on the Black Oak Mine Unified School District.

5. Response time from nearest fire station handling structure fires;

Rationale: The closest fire station handling structure fires is the Georgetown Fire Protection District (FPD) station approximately .4 miles from the site. Georgetown FPD did not provide any comments indicating that the project would impact their ability to serve the site or any other area within their jurisdiction.

6. Distance to nearest Community Region or Rural Center;

Rationale: The subject parcel is located within the Georgetown Rural Center.

7. Erosion hazard;

Rationale: No development is proposed as a part of this project. As discussed in the Initial Study any future grading activities would be required to comply with the El Dorado County Grading, Erosion and Sediment Control Ordinance including the implementation of pre- and post-construction Best Management Practices (BMPs). Implemented BMPs are required to be consistent with the County's California Stormwater Pollution Prevention Plan (SWPPP) issued by the State Water Resources Control Board to eliminate run-off and erosion and sediment controls. Any grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the County of El Dorado Grading, Erosion, and Sediment Control Ordinance.

8. Septic and leach field capability;

Rationale: No septic installation is currently proposed as part of the project. As discussed in the Initial Study, any future septic development would be required to obtain a septic system permit application, and would have to be compliant with the El Dorado County Standards for the Site Evaluation, Design, and Construction of Onsite Wastewater Treatment Systems (OWTS) Manual.

9. Groundwater capability to support wells;

Rationale: The subject parcel does not meet the minimum requirements for a water well installation permit. Water for any future development would be required to be provided by public GDPUD connection.

10. Critical flora and fauna habitat areas;

Rationale: The site is not located within an Important Biological Corridor as designated by the General Plan.

11. Important timber production areas;

Rationale: The site is not located within a timber production area.

12. Important agricultural areas;

Rationale: The site is not located within an Agricultural District, or adjacent to any agriculturally zoned parcels.

13. Important mineral resource areas;

Rationale: The site is not located within or adjacent to a Mineral Resource zone overlay.

14. Capacity of the transportation system serving the area;

Rationale: The site is located on State Highway 193. Neither the Department of Transportation nor Caltrans provided comments indicating concern regarding the capacity of the transportation system serving the project site or surrounding areas.

15. Existing land use pattern;

Rationale: The subject parcel is currently vacant. No development is proposed as a part of this project. The proposed zone change to One-acre Residential The proposed zone change to One-acre Residential would be consistent with the existing surrounding residential and civic uses.

16. Proximity to perennial water course;

Rationale: There is no perennial water course, as designated by the USGS topographic quadrangle, on the site. There is a GDPUD drainage course which encumbers the eastern corner of the parcel.

17. Important historical/archeological sites; and

Rationale: A records search of the California Historical Resources Information System was performed by the North Central Information Center, which found no prehistoric or historic period cultural resources in the project area.

18. Seismic hazards and present of active faults.

Rationale: As discussed in the initial study, El Dorado County is considered an area with low potential for seismic activity. There are no landslide, liquefaction, or fault zones in the project area. The potential for seismic ground shaking in the project area would be considered remote.

19. Consistency with existing Conditions, Covenants, and Restrictions.

Rationale: The subject parcel is not included within any existing CC&R agreement.

**2.4 The project is consistent with General Plan Policy 5.1.2.1.**

General Plan Policy 5.1.2.1 requires a determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: Public water is available for service to the site, septic capability has been reviewed. No development is proposed as a part of the project. Any future development would be required to comply with county recycling standards and follow CalGreen requirements during operation.

**2.5 The project is consistent with General Plan Policy 5.2.1.2.**

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The site is currently served by Georgetown FPD for fire protection. The Georgetown FPD did not provide any comments or concerns on the project after their review. Public water would serve the project site. Georgetown FPD would review any future ministerial or discretionary development.

**2.6 The project is consistent with General Plan Policy 6.2.3.2.**

Policy 6.2.3.2, Adequate Access for Emergencies, requires that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: No access improvements or changes to site access are proposed as part of the project. An encroachment permit would be required for future improvements or access to Highway 139. The project is in compliance with the General Plan Policy.

**3.0 ZONING FINDINGS**

**3.1 The project is consistent with Title 130.**

The One-acre Residential (R1A) is used to create a more dispersed suburban residential character to an area by providing for and regulating medium density residential development at the highest range of one dwelling unit per acre. This zone is applicable to lands designated as Medium Density Residential (MDR) in the General Plan.

Rationale: The project has been analyzed in accordance with Zoning Ordinance Section 130.24.030, Development Standards, for minimum lot size and dimensions. The existing lot at 1.41 acres meets the minimum lot size of 1 acre, and the minimum lot width of 100 feet. The project does not propose any construction. Any future development would be required to comply with the development standards for the zone including building setbacks and height.